

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

**AMAZON.COM, INC and AMAZON  
DATA SERVICES, INC.,**

Plaintiffs,

v.

**WDC HOLDINGS LLC d/b/a  
NORTHSTAR COMMERCIAL  
PARTNERS, et al.,**

Defendants,

**Case No. 1:20cv484**

**Hon. Rossie D. Alston, Jr.  
Hon. Ivan D. Davis**

**DECLARATION OF ADAM R. SMART  
IN SUPPORT OF DEFENDANTS'  
OPPOSITION TO MOTION TO  
EXTEND SUMMARY JUDGMENT  
DEADLINES**

**800 HOYT LLC,**

Intervening Interpleader Plaintiff,

v.

**BRIAN WATSON, et al.**

Interpleader Defendants.

I, Adam R. Smart, pursuant to 28 U.S.C. § 1746 hereby declare, under penalty of perjury, as follows:

1. I am over the age of 18 years. I have personal knowledge of the facts set forth below, and if called upon to do so, I could and would competently testify thereto.

2. I am an attorney licensed to practice law in the State of Florida and admitted to appear in this case, *pro hac vice*, on behalf of Defendants Carleton Nelson and Cheshire Ventures, LLC. I am an attorney at the law firm of Burr & Forman, LLP.

3. I make this declaration in support of Carleton Nelson, Cheshire Ventures, LLC, and Casey Kirschner's joint opposition to Amazon's motion to extend summary judgment deadlines.

4. Attached hereto as Exhibit A is a true and correct copy of an email correspondence chain dated December 22 and 23, 2022, among counsel for Amazon and counsel for Defendants.

5. Attached hereto as Exhibit B is a true and correct copy the transcript from the October 20, 2022 pretrial conference in this action.

6. Attached hereto as Exhibit C is a true and correct copy of an email correspondence chain dated December 22 and 23, 2022, among counsel for Amazon and counsel for Defendants.

7. As offered by the Court, Defendants reached out to the Court to obtain information about several potential private mediators the Court would suggest for this case in anticipation of seeking to set up a pre-summary judgment mediation with Amazon as had been recommended by the Court. However, when Defendants sent an email asking for feedback from Amazon regarding the mediators and setting up a mediation, Amazon completely ignored the email and never responded.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief

Executed on December 28, 2022

/s/ Adam R. Smart  
ADAM R. SMART

**CERTIFICATE OF SERVICE**

I hereby certify that on December 28, 2022, a true and correct copy of the foregoing has been served upon all parties of record via the ECF system and via email.

Dated: December 28, 2022

/s/ Rachel Friedman  
Rachel Friedman